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ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: IMPLEMENTATION OF DECISIONS AND RECOMMENDATIONS OF THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

Convention on Biological Diversity

Report of the Executive Secretary

I. INTRODUCTION

1. In its resolution 47/190 of 22 December 1992, the General Assembly noted with satisfaction that the Convention on Biological Diversity had been opened for signature and signed by a large number of States at the United Nations Conference on Environment and Development, held at Rio de Janeiro, Brazil, from 3 to 14 June 1992, and stressed the need for the Convention to come into force as soon as possible.

2. In its resolution 49/117 of 19 December 1994, the General Assembly, deeply concerned by the continuing loss of the world's biological diversity and reiterating the commitment to the conservation of biological diversity and the sustainable use of its components, as well as the fair and equitable sharing of benefits arising from the use of genetic resources, welcomed the early entry into force of the Convention, and the convening of the first meeting of its Conference of Parties, held at Nassau from 28 November to 9 December 1994; and called upon those States which had not yet ratified the Convention to expedite their internal procedures of ratification, acceptance or approval.

3. In the same resolution, the General Assembly also decided to consider the progress achieved in the implementation of the Convention at its fiftieth session and invited the Executive Secretary of the Convention on Biological Diversity to report, through the Commission on Sustainable Development and the

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Economic and Social Council, on the results of the first meeting of the Conference of the Parties to the Convention. The present report is submitted by the Executive Secretary of the Convention on Biological Diversity in response to that request.

II. THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES

4. Convened in accordance with article 23, paragraph 1, of the Convention, the first meeting of the Conference of the Parties was opened by the Executive Director of the United Nations Environment Programme (UNEP). It was preceded by informal consultations held on 27 November 1994. Messages to the meeting from the Secretary-General of the United Nations and the President of the forty-ninth session of the General Assembly were presented. Mr. Hubert A. Ingraham, Prime Minister of the Bahamas, addressed the meeting. The meeting also witnessed the inauguration of a Biodiversity Technology Fair organized under the aegis of UNEP and the Government of the Bahamas with the support of the Government of Canada.

5. All States were invited to participate in the meeting. Ninety-six parties were represented. The Committee on Credentials established in accordance with rule 19 of the rules of procedure of the Conference of the Parties found all credentials of parties to be in order. Thirty-four States were represented by observers. Twenty-two intergovernmental organizations and 120 non-governmental organizations were also represented.

6. The Ministerial Segment of the first meeting of the Conference of the Parties was held from 7 to 9 December 1994. At its opening ceremony statements were made by the President of the meeting, Ms. I. Dumont; the Executive Director of UNEP, Ms. E. Dowdeswell; the Chairman of the Commission on Sustainable Development, Mr. K. Töpfer; the Minister of Foreign Affairs of the Bahamas, Mrs. Janet Bostwick. Forty-eight States were represented at ministerial level. At the closure of the meeting, the Ministers adopted the Bahamas Ministerial Declaration on the Convention on Biological Diversity.

7. The Conference of the Parties adopted its rules of procedure with the exception of paragraph 1 of rule 40. It also adopted decisions related to financial resources and mechanism, technical and scientific matters, the Commission on Sustainable Development, a medium-term programme of work and administrative and budgetary issues, and established its Subsidiary Body on Scientific, Technical and Technological Advice.

A. Financial resources and mechanism

8. In its decision 1/2, the Conference of the Parties decided to adopt the policy, strategy, programme priorities and eligibility criteria for access to and utilization of financial resources as well as the list of developed country parties and other parties that voluntarily assume the obligations of developed country parties; decided also that the restructured Global Environment Facility (GEF) should continue to serve as the institutional structure to operate the financial mechanism under the Convention on an interim basis, in accordance with article 39 of the Convention, authorized the Secretariat to consult with the

restructured GEF on the content of a memorandum of understanding that should be formally considered at the second meeting of the Conference of the Parties. Pending the adoption of such a memorandum, the Conference of the Parties adopted interim guidelines for monitoring and evaluation of the utilization of financial resources by the restructured GEF; requested the Secretariat to present at its second meeting a report on the financial mechanism as well as a study on the availability of financial resources additional to those provided through the restructured GEF, and on the ways and means for mobilizing and channelling those resources in support of the objectives of the Convention; and also requested the Secretariat to include items on the agenda of the Conference of the Parties at its second meeting that would enable the latter to review the financial resources and to take a decision at that meeting on which institutional structure should be designated in accordance with article 21 of the Convention.

B. Technical and scientific matters

9. In its decision 1/3, the Conference of the Parties decided to implement the provisions of article 18, paragraph 3, of the Convention on the establishment of a clearing-house mechanism to promote and facilitate technical and scientific cooperation, operating under the authority of the Conference of the Parties; requested the Secretariat to prepare, and report back to the Conference of the Parties at its second meeting on, a comprehensive study containing concrete costed recommendations to assist the Conference of the Parties in the establishment of the clearing-house mechanism; and decided to include the issue on the agenda of its second meeting.

10. In its decision 1/7, the Conference of the Parties requested the Subsidiary Body to consider its modus operandi and to prepare a proposal for its medium-term programme of work based on the priorities set in the programme of work of the Conference of the Parties and on article 25 of the Convention.

C. Statement to the Commission on Sustainable Development

11. In its decision 1/8, the Conference of the Parties invited its President to transmit the statement to the high-level segment of the third session of the Commission on Sustainable Development. The statement of a political character contained eight action-oriented recommendations addressed to the third session of the Commission on Sustainable Development.

D. Medium-term programme of work

12. In its decision 1/9, the Conference of the Parties decided to adopt the medium-term programme of work for the period 1995-1997; also decided to establish an open-ended ad hoc group of experts nominated by Governments to consider the need for and modalities of a protocol setting out appropriate procedures, including, in particular, advance informed agreement, in the field of the safe transfer, handling and use of any living modified organism resulting from biotechnology that might have an adverse effect on the conservation and sustainable use of biological diversity; decided further that the open-ended

group of experts would consider, as appropriate, existing knowledge, experience and legislation in the field of biosafety, including the views of the parties, subregional, regional and international organizations, with a view to presenting a report for the consideration of the second meeting of the Conference of the Parties, so as to enable the Conference to reach an informed decision on the need for and modalities of a protocol; and requested the Secretariat to establish a panel of 15 experts nominated by Governments, with an equitable geographical representation, in consultation with the Bureau of the Conference of the Parties, assisted by the United Nations Industrial Development Organization (UNIDO), UNEP, the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organization (WHO), to prepare a background document to be submitted to the open-ended ad hoc group of experts.

E. Administrative and budgetary issues

13. In its decision 1/4, the Conference of the Parties designated UNEP to carry out the functions of the Secretariat of the Convention while ensuring its autonomy to discharge the functions referred to in article 24. It requested the Executive Director of UNEP to select the Executive Secretary of the Convention in consultation with the Bureau of the Conference of the Parties.

14. In its decision 1/5, the Conference of the Parties welcomed the willingness demonstrated by international organizations to support and cooperate with the Secretariat of the Convention for the effective discharge of its functions, and in particular the concrete offers made by FAO and the United Nations Educational, Scientific and Cultural Organization (UNESCO), including by secondment of staff; invited other competent organizations that wished to do so to make further proposals to the Secretariat in that regard; and requested the Executive Secretary to establish contact with the secretariats of the conventions dealing with matters covered by the Convention with a view to establishing appropriate forms of cooperation between the Convention and those conventions and to report to the Conference of the Parties on the issue, as provided for in article 23.4 (h) of the Convention.

15. In part I of its decision 1/6, the Conference of the Parties adopted the Financial Rules for the Administration of the Trust Fund for the Convention on Biological Diversity; designated UNEP as the Trustee of the Trust Fund; decided that the Trust Fund should be established for an initial period of two years, beginning on 1 January 1995 and ending on 31 December 1996; adopted the budget for 1995 and urged all the Parties to pay promptly their contributions to the Trust Fund; requested the parties and States not parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations and other sources, to contribute to the Trust Fund; and requested the Executive Director of UNEP to ensure, by advances, that the 1995 budget of the Convention was financed until such time as sufficient contributions had been paid in 1995 to allow for the functioning of the Secretariat.

16. In part II of its decision 1/6, the Conference of the Parties adopted the scale of contributions for 1995 and requested the Secretariat to make available the comprehensive review of all aspects of scale methodology to be presented to the General Assembly at its fiftieth session, as well as information related to

scale methodology in other international organizations and information provided by Governments to assist the second meeting of the Conference of the Parties in its consideration of the matter; and decided to transfer to its next meeting, for further consideration, paragraphs 4 and 16 of the Financial Rules.

F. Other matters

17. In its decision 1/11, the Conference of the Parties requested the Secretariat to assist in the organization of regional and subregional meetings for the preparation of the second meeting of the Conference of the Parties, which will take place at Jakarta from 6 to 17 November 1995; and invited the developed countries and international organizations to make voluntary contributions to fund such regional and subregional meetings and to facilitate the participation of the developing countries, and in particular the least developed amongst them, in such meetings as well as in the meetings convened under the Convention.

18. In its decision 1/12, the Conference of the Parties recommended to the General Assembly at its forty-ninth session that it consider 29 December, the date of entry into force of the Convention on Biological Diversity, International Day for Biological Diversity.

19. In its decision 1/13, the Conference of the Parties expressed its sincere gratitude to the Government of the Bahamas and to its people for the cordial welcome they had accorded to the Conference and to those associated with its work, and for their contribution to the success of the Conference.

III. RELATIONSHIP WITH THE GENERAL ASSEMBLY AND ITS ORGANS

20. At its first meeting, the Conference of the Parties in adopting the statement addressed to the third session of the Commission on Sustainable Development, stressed the need to establish links with other bodies and processes relevant to biodiversity issues with a view to promoting coherent and urgent attention to those issues. In that context, the Conference of the Parties attached importance to the development of a substantive relationship with the Commission on Sustainable Development, given the Commission's responsibilities in respect of Agenda 21 and the complementarity of its mandate with that of the Conference of the Parties to the Convention on Biological Diversity. It appealed to the Commission on Sustainable Development to make all efforts in its own right to advance the concerns of the Convention on Biological Diversity.

21. The Conference of the Parties invited the Commission on Sustainable Development:

(a) To urge States that had not yet done so to become parties to the Convention;

(b) To consider the biodiversity issue in the light of the three interrelated objectives of the Convention;

(c) To approach the subject of biodiversity as a multisectoral issue that is relevant to virtually all of its concerns;

(d) To urge Governments to recognize the mutually supportive relationship between biodiversity and sustainable development;

(e) To encourage Governments to improve coordination among departments at the national level in order more effectively to implement measures for the conservation of biological diversity and the sustainable use of its components, given the cross-cutting nature of these issues;

(f) To consider the sectoral issues to be addressed at its 1995 session in the context of their close interrelationship with biodiversity;

(g) To urge States to work cooperatively to address the subject of poverty in the context of its close interrelationship with biodiversity;

(h) To stress to Governments the advantages deriving from coordination between its work, that of the Convention on Biological Diversity, and that of other conventions, intergovernmental bodies and for forums concerned with the conservation of biological diversity and the sustainable use of its components.

22. The General Assembly, as the supreme organ of the United Nations, in considering the report of the first meeting of the Conference of the Parties to the Convention on Biological Diversity as well as the outcome of the work of the third session of the Commission on Sustainable Development regarding the implementation of chapter 15 of Agenda 21 and other chapters related to biological diversity, can make a significant contribution to advancing the goals and objectives of the Convention.

23. In the light of the importance attached to the implementation of the goals and objectives of the Convention, the General Assembly decided, in adopting its resolution 49/119 of 19 December 1994, to proclaim 29 December, the date of the entry into force of the Convention on Biological Diversity, International Day for Biological Diversity. The Assembly may wish at its fiftieth session to give direction to Member States on the ways and means to make such an international event a success.

IV. CONCLUSION

24. The second meeting of the Conference of the Parties will take place at Jakarta from 6 to 17 November 1995. It will be preceded by the first meeting of the Subsidiary Body on Scientific, Technical and Technological Advice to be held at UNESCO, Paris, from 4 to 8 September 1995. The second meeting of the Conference of the Parties will also examine the report of the open-ended ad hoc group of experts on biosafety on the implementation of article 19, paragraph 3, of the Convention to be held at Madrid from 24 to 28 July 1995. Preparations for the Madrid meeting were made at a meeting of a panel of 15 experts nominated by Governments held at Cairo from 1 to 5 May 1995.